

2018 MAY 11 PM 4:17

**In the United States District Court
For the Southern District of Georgia
Brunswick Division**

CLERK
SO. DIST. OF GA.
J. J. [Signature]

ARGIE LEE BROOKS,

Petitioner,

v.

WARDEN SHAY HATCHER,

Respondent.

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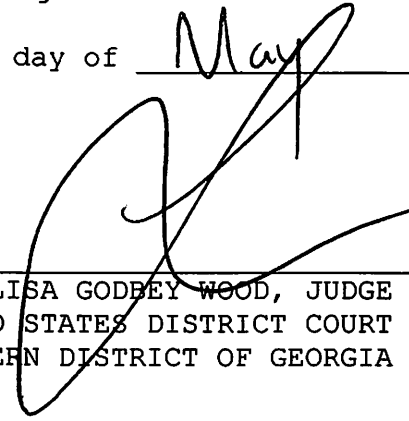
CIVIL ACTION NO.: 2:17-cv-106

ORDER

After an independent and *de novo* review of the entire record, the undersigned concurs with the Magistrate Judge's Report and Recommendation, dkt. no. 19, to which Petitioner Argie Brooks ("Brooks") failed to file Objections. Accordingly, the Court **ADOPTS** the Magistrate Judge's Report and Recommendation as the opinion of the Court. The Court **GRANTS** Respondent's Motion to Dismiss, **DISMISSES without prejudice** Brooks' 28 U.S.C. § 2254 Petition, and **DENIES** Brooks *in forma pauperis* status on appeal and a Certificate of Appealability. The Court **DIRECTS** the Clerk of Court to **CLOSE** this case

and to enter the appropriate judgment of dismissal.

SO ORDERED, this 11 day of May, 2018.



HON. LISA GODBEY WOOD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA